



PATENT
ATTORNEY DOCKET No.: JHU1400-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harry C. Dietz Art Unit: 1635
Application No.: 09/163,289 Examiner: M. Schmidt
Filed: September 29, 1998
Title: DELIVERY CONSTRUCT FOR ANTISENSE NUCLEIC ACIDS
AND METHODS OF USE

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TERMINAL

W. A. Zimmer

BOX AF

Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE, with its place of business at 111 Market Place, Suite 906, Baltimore, Maryland 21202, represents that Petitioner is the Assignee of 100 percent interest in Application No. 09/163,289, filed September 29, 1998, entitled DELIVERY CONSTRUCT FOR ANTISENSE NUCLEIC ACIDS AND METHODS OF USE, as evidenced by the Assignments recorded in the United States Patent and Trademark on March 10, 1997, at Reel 8537, Frame 0233.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **October 17, 2001**, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Cecilia Tobin

Name of Person Mailing Paper

Cecilia Tobin October 17, 2001
Signature Date

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The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, THE THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE, disclaims the terminal part of any patent granted on the above-identified Application No. 09/163,289 which would extend beyond the expiration date of a patent that will issue from U.S. Patent No. 5,814,500. Petitioner hereby agrees that any patent so granted on the above-identified application No. 09,163,289 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,814,500, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

The Commissioner is hereby authorized to charge a TOTAL FEE of \$215.00; which consists of \$160.00 for the Notice of Appeal fee and \$55.00 for the Terminal Disclaimer


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fee; and is authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355.

Respectfully submitted,

Date: October 17, 2001


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